

**United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report**

Case Number

0500-0614

Case Title:

Village of Crestwood, IL

Reporting Office:

Chicago, IL, Area Office

Subject of Report:

Interview of (b) (6), (b) (7)(C) during search warrant at Burke June 25, 2009
Engineering

Activity Date:

Copies to:

Related Files:

Reporting Official and Date:

(b) (6), (b) (7)(C), SA
16-JUL-2009, Signed by: (b) (6), (b) (7)(C), SA

Approving Official and Date:

(b) (6), (b) (7)(C) SAC
23-JUL-2009, Approved by: (b) (6), (b) (7), SAC

SYNOPSIS

06/25/2009 - On Thursday, June 25, 2009, Special Agents (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) U.S. Environmental Protection Agency (EPA), Criminal Investigation Division interviewed (b) (6), (b) (7)((b) (6), (b) (7)(C)) is the Senior Engineer and past president of Burke Engineering Corporation (Burke).

DETAILS

On Thursday, June 25, 2009, Special Agents (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) U.S. Environmental Protection Agency (EPA), Criminal Investigation Division interviewed (b) (6), (b) (7)((b) (6), (b) (7)(C)) is the Senior Engineer and past president of Burke Engineering Corporation (Burke). After agents identified themselves, (b) (6), (b) (7)(C) was advised that agents were at the facility to serve a Federal search warrant to obtain documents related to the Village of Crestwood (village) drinking water well and distribution system. (b) (6), (b) (7)(C) provided the following information:

(b) (6), (b) (7)(C) graduated from the University of Illinois in 1960 with a Bachelor of Science Degree in Civil Engineering. (b) (6), (b) (7)(C) has been a Professional Engineer (P.E.) since 1963 or 1964 (b) (6), (b) (7)(C) couldn't recall. (b) (6), (b) (7)(C) started with Burke Engineering in 1963. (b) (6), (b) (7)(C) is currently a Senior Engineer after resigning as the president of the company in 2003. (b) (6), (b) (7)(C) works about 3 days per week. (b) (6), (b) (7)(C) primary focus is to mentor the young engineers, and (b) (6), (b) (7)(C) also maintains accounts with some long term clients.

(b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) has worked with the village and other long term clients. (b) (6), (b) (7)(C) is aware of the current EPA investigation, but claims that (b) (6), (b) (7)(C) is only "peripherally" involved with the village at the present time. (b) (6), (b) (7)(C) has been involved with several village projects and recent employee reductions have put (b) (6), (b) (7)(C) in contact with village more than usual. (b) (6), (b) (7)(C) said that projects assigned to (b) (6), (b) (7)(C) could be found in the logbook. The logbook is a record maintained by Burke Engineering that identifies the

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engineer assigned to each project. The logbooks are maintained by client names.

(b) (6), (b) (7)(C) said that from time to time (b) (6), (b) (7)(C) has been the village engineer, but it is not a contract position. It is an appointed position and you serve at the request of the Mayor. (b) (6), (b) (7)(C) explained that there was no formal procedure for completing work at the village. Work is completed at the demand of the Mayor.

When asked about the village well, (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) believes the well has been abandoned. (b) (6), (b) (7)(C) said that it was in existence for several years, but it was not running. It was just used to test the water supply. Following up that statement, (b) (6), (b) (7)(C) explained that the village had asked Burke to help them obtain a permit to discharge the well water into the sewer. (b) (6), (b) (7)(C) stated that the discharge to the sanitary sewer was from the reservoir, and since it was mixed with the well water that was contaminated, and the Illinois Environmental Protection Agency would not allow it to be discharged into surface waters. Therefore, the village was required to obtain a permit to discharge to the sanitary sewer. (b) (6), (b) (7)(C) further claimed that (b) (6), (b) (7)(C) was not aware of the fact that the State of Illinois had told the village to discontinue the use of the well.

(b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) knew that the village well was in existence since the 1950's. (b) (6), (b) (7)(C) believes the well was put in service so the village could expand. The well was designed for the "Plainfield Subdivision." As the village began to expand, (b) (6), (b) (7)(C) said an agreement was put in place to purchase water from Alsip. After this agreement was put in place, (b) (6), (b) (7)(C) was asked to develop a reservoir and pumping station for the village. (b) (6), (b) (7)(C) said the village would purchase the water from Alsip and then store the water in the reservoir.

After this reservoir was built, the village asked (b) (6), (b) (7)(C) to design a water main from the well to the reservoir. (b) (6), (b) (7)(C) claims (b) (6), (b) (7)(C) did not know what the intent of the village was, but later said the village would pump water from Alsip into the reservoir and mix it with water from the well. The well water would be diluted by the Alsip water. The purpose of the reservoir was to cover the daily demands on the water system. (b) (6), (b) (7)(C) was asked why the village would need to dilute the well water, and (b) (6), (b) (7)(C) explained that mixing the water would soften the water naturally and make it more desirable. (b) (6), (b) (7)(C) further explained that Alsip water was from Lake Michigan and inherently soft while water from the village is hard.

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At this point, (b) (6), (b) (7)(C) referenced back to the earlier topic of the village hiring Burke to prepare a permit that would allow the village to discharge well water into the sewer system. (b) (6), (b) (7)(C) denied knowing that the well was polluted. (b) (6), (b) (7)(C) stated that when Illinois Environmental Protection Agency sent out the requirements for the project they did not indicate the well water was contaminated. (b) (6), (b) (7)(C) said the requirements did not indicate the water was above 2 parts per million and (b) (6), (b) (7)(C) did not know if this was a problem with drinking water standard or sewer discharge limits.

(b) (6), (b) (7)(C) was provided with a 1982 letter from (b) (6), (b) (7)(C) of Burke to the Mayor of the village. (b) (6), (b) (7)(C) was asked to explain the sentence that reads: "This also hides the amount that we pump from the well." (b) (6), (b) (7)(C) claimed that (b) (6), (b) (7)(C) was not involved with water billing. (b) (6), (b) (7)(C) explained that (b) (6), (b) (7)(C) and the mayor were "Old Acquaintances," but (b) (6), (b) (7)(C) did not go to meetings or speak about billing. (b) (6), (b) (7)(C) continued by saying that (b) (6), (b) (7)(C) didn't know because (b) (6), (b) (7)(C) didn't write the letter. (b) (6), (b) (7)(C) assumes the issue is waste. The village was losing more water through leaks than the recommended minimums would allow and the village was wasting water. When asked what the penalty would be for wasting water, (b) (6), (b) (7)(C) states that (b) (6), (b) (7)(C) did not know if there was a penalty. (b) (6), (b) (7)(C) did not know why the village would want to hide the leaks.

(b) (6), (b) (7)(C) stated that Burke had approximately 25 employees and two hundred to three hundred jobs per year. There was no way (b) (6), (b) (7)(C) could have know everything that was going on at Burke.

(b) (6), (b) (7)(C) was provided with a 1988 letter from (b) (6), (b) (7)(C) of Burke to the Mayor of the village. (b) (6), (b) (7)(C) was asked to explain the contradictory sentences in the letter. In the second paragraph the letter states that seventy million gallons of water have been pumped from the well. In the fourth paragraph of the letter is a sentence that: "We have also indicated on the form that no water was pumped from the well in 1988." Again, (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) didn't write the letter. (b) (6), (b) (7)(C) continued by saying that unaccounted for losses are less than in the past. In essence, the system is not as leaky as in the past. It had nothing to do with pollution.

(b) (6), (b) (7)(C) believes the village has the choice of what to report. The village is in charge of the monthly reporting requirements. Burke is providing their clients with options. If you used the well this is what your use numbers look like. If you didn't use the well, this is what

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number you should report. (b) (6), (b) (7)(C) claims (b) (6), (b) (7)(C) did not know who was in charge of this project and does not know what they would have been instructed to do. (b) (6), (b) (7)(C) does not know why (b) (6), (b) (7)(C) firm would be instructing the village not to report information to the state. (b) (6), (b) (7)(C) believes it is the responsibility of the village to accurately report data to the state. (b) (6), (b) (7)(C) continually said that (b) (6), (b) (7)(C) did not do it. (b) (6), (b) (7)(C) was the engineer for this project and (b) (6), (b) (7)(C) signed the letters.

(b) (6), (b) (7)(C) was asked about former employees of Burke Engineering. (b) (6), (b) (7)(C) said that (b) (6), (b) (7)(C) left about 10 years ago. (b) (6), (b) (7)(C) is still alive and in the area. As for (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) employment with Burke is beyond (b) (6), (b) (7)(C) memory.

(b) (6), (b) (7)(C) is further identified as:

(b) (6), (b) (7)(C) P.E.
Senior Engineer
Burke Engineering Corporation
18330 Distinctive Drive
Orland Park, Illinois 60467
Phone: (b) (6), (b) (7)(C)
Fax: (708) 326-4050

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